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BEFORE THE ARIZONA CORPORATION COMMISSION
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2000 JUN -8 P 1:44 JUN 08 2000

CARL J. KUNASEK
CHAIRMAN
JIM IRVIN
COMMISSIONER
WILLIAM A. MUNDELL
COMMISSIONER

AZ CORP COMMISSION DOCKETED BY
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IN THE MATTER OF:

DOCKET NO. S-03280A-00-0000

JOSEPH MICHAEL GUESS, SR.
2911 E. Calavar Road
Phoenix, Arizona 85032

PROGRESSIVE FINANCIAL MANAGEMENT
2911 E. Calavar Road
Phoenix, Arizona 85032

JAMES DOUGLAS SHERRIFFS
5544 East Helena Drive
Scottsdale, Arizona 85254

RICHARD GORDON DAVIS
4330 North 30th Street
Phoenix, Arizona 85016

RGD
4330 North 30th Street
Phoenix, Arizona 85016

RGD ENTERPRISES, INC.
4330 North 30th Street
Phoenix, Arizona 85016

IRA JOE PATTERSON
4330 North 30th Street
Phoenix, Arizona 85016

RANDALL WAYNE SMITH, JR.
1905 Springlake Court
Birmingham, Alabama 35215

BALLY OVERSEAS TRADING INC.
1905 Springlake Court
Birmingham, Alabama 35215,

Respondents.

THIRD
PROCEDURAL ORDER

BY THE COMMISSION:

On April 6, 2000, the Securities Division ("Division") of the Arizona Corporation Commission ("Commission") filed a Notice of Opportunity for Hearing Regarding Proposed Order

1 for Relief ("Notice") against Joseph Michael Guess, Sr., Progressive Financial Management, James
2 Douglas Sherriffs, Richard Gordon Davis, RGD, RGD Enterprises, Inc., Ira Joe Patterson, Randall
3 Wayne Smith, Jr., and Bally Overseas Trading, Inc., ("Bally") (collectively the "Respondents") in
4 which the Division alleged multiple violations of the Arizona Securities Act ("Act") in connection
5 with the offer and sale of securities in the form of investment contracts.

6 All Respondents with the exception of Respondents Smith and Bally were duly served with
7 copies of the Notice.

8 On April 17, 2000, counsel for Respondent Richard G. Davis filed a request for hearing.

9 On April 21, 2000, Respondents, Joseph Michael Guess, Sr. and Ira J. Patterson, filed requests
10 for hearing.

11 On April 24, 2000, Respondent, James D. Sherriffs, filed a request for hearing.

12 On May 11, 2000, a pre-hearing conference was held. Respondent Davis and the Division
13 were present with counsel. Respondents Guess, Patterson and Sheriffs were not present, Respondents
14 Guess and Patterson had also requested continuances. After a discussion of certain procedural
15 matters, it was agreed that an additional pre-hearing conference would be scheduled.

16 Accordingly, a pre-hearing conference should be set to address scheduling problems, the
17 issues raised in the Notice and the presentation of evidence.

18 On May 25, 2000, the Commission scheduled a pre-hearing conference on June 7, 2000.

19 On June 7, 2000, a pre-hearing conference was held with the Division, and Respondents
20 Guess and Patterson in attendance. A discussion was conducted on scheduling the hearing when
21 witnesses and parties could be available.

22 IT IS THEREFORE ORDERED that the hearing shall commence on July 25, 2000, at 9:30
23 a.m., at the Commission's offices, 1200 West Washington Street, Phoenix, Arizona.

24 IT IS FURTHER ORDERED that the parties shall also set aside July 26, 27 and 28, 2000 for
25 the taking of additional evidence, if necessary.

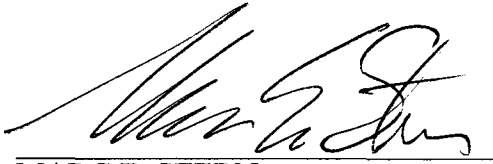
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IT IS FURTHER ORDERED that the parties shall exchange witness lists and exhibits by July 17, 2000.

DATED this 8TH day of June, 2000.


MARC E. STERN
ADMINISTRATIVE LAW JUDGE

Copies of the foregoing mailed/delivered this 8TH day of June, 2000 to:

Dale L. States
6724 North 43rd Avenue
Glendale, Arizona 85301
Attorney for Richard G. Davis

Ira J. Patterson
4330 North 30th Street
Phoenix, Arizona 85016

Joseph Michael Guess, Sr.
2911 E. Calavar Road
Phoenix, Arizona 85032

James D. Sheriffs
5544 E. Helena Drive
Scottsdale, Arizona 85254

Progressive Financial Management
2911 E. Calavar Road
Phoenix, Arizona 85032

RGD
4330 North 30th Street
Phoenix, Arizona 85016

RGD Enterprises, Inc.
4330 North 30th Street
Phoenix, Arizona 85016

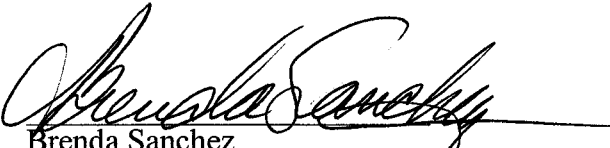
Randall Wayne Smith, Jr.
1905 Springlake Court
Birmingham, Alabama 35215

Bally Overseas Trading Inc.
1905 Springlake Court
Birmingham, Alabama 35215

1 Robert A. Zumoff
2 Assistant Attorney General
3 ARIZONA ATTORNEY GENERAL'S OFFICE
4 1275 West Washington Street
5 Phoenix, Arizona 85007

6 W. Mark Sendrow, Director
7 Securities Division
8 ARIZONA CORPORATION COMMISSION
9 1300 West Washington Street
10 Phoenix, Arizona 85007

11 ARIZONA REPORTING SERVICE, INC.
12 2627 N. Third Street, Suite Three
13 Phoenix, Arizona 85004-1104

14 By: 
15 Brenda Sanchez
16 Secretary to Marc E. Stern
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19
20
21
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23
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